2: Hudson E-4, 5 (1936) 1938 RQ2 Kazak RQ2

also by Grodekov[11] and Dingelstedt,[12] who say that a visitor is treated well or ill according to the importance of his "tribe" and the number of his ancestors. Zaleskie[13] also suggests that it was chiefly the rich who kept open house.

It may be noted here that qonaqaçь (hospitality) was also the term applied to social gatherings to celebrate circumcisions, weddings and funerals.

FRATERNIZATION

A form of fraternization or sworn brotherhood might exist between two particular individuals, usually of different but not too distantly related uru groups. They swore solemnly on the Koran, or embraced one another over the blade of a sword or with a dagger at the throat of each, taking oath that they would be friends (tamьr or dos) to one another for a specified time or for life. This relationship seems to have involved mainly an obligation of reciprocal hospitality and a certain sharing of one another's property. My informants were vague on the subject.

Grodekov[14] indicates that the relationship had a decidedly commercial quality with strong emphasis on an exact balancing of accounts. He writes:

> They swear to be tamyr or dos to one another and grant a gift. Receiving a gift obliges one to give an equal gift in return. Tamyr come by turns to one another and make a choice of cattle and goods and the chosen objects must be given without a refusal. In former times it was not customary to complain at the non-receipt of an equivalent gift in return; but now the bii computes the money value of the gifts on both sides and forces them to pay the difference. Said one bii, "Satisfy the wishes of this tamyr and afterwards you can go to visit him and he must satisfy your desire." According to Torgai [one of Grodekov's informants], in dos one may take things without asking while in tamyr it is customary to ask. Another bii said that in dos they swear before god not to bring lawsuits about the value of the presents.

The children of individuals who were tamьr and dos to one another might continue the relationship. It was also possible for women to be tamьr to one another and the relationship might exist between those of opposite sex.[15]

A somewhat similar form of fraternization, though apparently without the overt mercenary aspects of the tamьr and dos relationships, existed in Mongol culture.[16]

[11] *Kirgizy i Kara-kirgizy*, 27.
[12] *Le Droit coutumier*, 147.
[13] *La Vie des steppes*, 13.
[14] *Op. cit.*, 40–41.
[15] Grodekov, *Kirgizy i Kara-kirgizy*, 40–41; Dingelstedt, *Le Droit coutumier*, 219–20.
[16] See pages 82–83.

593 marrying off a daughter by force. Only the Russian law takes her into its protection.

[888] The support of old parents is the duty of the children. In cases of complaint the bii judges it in this manner. A father with no property can move in with a married daughter only with the consent of his son-in-law. (4)

4. E. A. Aleksandrov, Kazalinsk uyezd.

853 /36/ A woman whose own milk is not adequate gives her
608 child the milk of a cow, or with the permission of her husband, hires a wet nurse (eneke), who is called by the child "sheshe", like the real mother.

* * * *

884 Majority is considered to have been reached at the age of 15, or according to other reports, at 12 (Perovsk uyezd). From this time on the young man goes away, hires himself out and does his work alone, without permission. According to Abdrakhman of the Auliye-Ata uyezd, they are called minors (yas, sagyr - young, not of age) until the age of 13, and from 15 or 16 they are of age. A youth of 14 years can be considered of age or not of age, depending on his mind. In general, if a boy declares that as a minor he cannot answer before the court, or if he declares that in spite of his youth he is capable of carrying out an affair, the court will not find an obstacle to fulfilling his wish, without regard to his exact age. Among the Kirgiz, as Kurpetai Dauletkulov reports, majority begins from the age of 13. According to the report of the chief of the Chimkent uyezd, N. E. Blagovidov, boys are counted as of age at 12, and girls at 9. However girls are not permitted to give testimony as
884 witnesses in court. According to bii Khamahammed, if a girl was
582 spoken for (bata okugan) at the age of 4-8, then the betrothal is equal to marriage (bataning uzi bular iken) and she cannot refuse if the groom does not permit her to (chigalmaidy eri koymagansha). When the daughters of a rich man or of a butcher reach the age of 10, and the daughters of a poor man reach 15, then the customary law permits them to declare their unwillingness to marry the groom chosen by the father (tiymeymen dese adat kuteredi). This is explained by saying that the daughter of the rich man, who is fed and dressed better (achimi, yemi, kiymi taza), just as the daughter of the butcher who

429 [582] degree, and must pay the relatives of the bride a "relative" rodstvennyi/ kalym (ru kalyn mal).

The customary law leaves the guardian all the profits of an uncontrolled management of the property, as a relative, and in view of his cares in the guardianship. When he comes of age, the heir can request the return of a part of it.

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572 When promising to be a friend (tamyr, kyyamatty dos), something is given. The person who receives the gift is obliged to give a gift in return of equal value. The tamyrs alternately travel to each other and make a selection (kalau) from the livestock and nice things. The object chosen must be given and cannot be refused. In ancient times, complaints of not receiving a return gift of equal value were not customary. Now the biis calculate out in terms of money the sum of the value of all the gifts from both sides and compel the payment of the difference (the books of the biis of the Perovsk uyezd, bii Abdrakhman of the Auliye-Ata uyezd). However a court examination between blood brothers does not make a good appearance. The bii admonishes them: "Satisfy the desire (razykyl) of your tamyr. Afterwards you will go to him and he will satisfy your desire."

[608] Blood brotherhood consists in one friend's staying at another's during his departure, to be as though in his own home, and to borrow necessary things and livestock, though not otherwise than /41/ with the consent of the householder, his wife, or another of the household who knows of the existence of the blood brotherhood. At weddings, funerals and similar gatherings they also give each other gifts.

Blood brotherhood is also concluded between girls. It is also possible between different sexes. In the latter case, the term kyyamattik is used less, and tamyrmyk is more common.

For centuries friend has been called kyyamatti dos, dostamyr, dos. According to Torgai, things can be taken from a dos without permission, while with a simple tamyr it is necessary to ask. According to bii Sultan, the dos promise before God not to sue each other about their mutual accounts (bir biri mizdan berib alyskany myzny khudanyng aldynda suramaymyz).

According to Daulet Bushaev, eternal friendship is agreed upon on the Koran. According to Makovetskii (I, p. 45), it is

settled by embracing with bared breast - kushaktaskan. I. Ibragimov 592 states that they embrace each other across an unsheathed sword or across the Koran, which they kiss afterwards.

The children of tamyrs who continue the friendship are called ata tamyr. Spouses are called syuyak tamyr (hereditary friends). Other tamyrs are called "verbal" auz tamyr, as distinguished from the forms of strong friendship described above. Also they do not embrace. Torgai also ascribes to verbal friendship or simple acquaintanceship the friendship which is confirmed by squeezing the palm of the hand, barmak ustaskan. The proverb - friends always argue, people of the the same age are always hostile - (tamyr tube dau kurdas tube dzhau) - bears witness to the instability of the verbal friendship.

According to Torgai, this friendship / takyrstvo/ resembles the [608] custom of being considered as the representative /posazhennyi/ of the bride's father or groom's father (ukul ata) and the titular son or son-in-law (ukul kuyau, ukul bala). (1) One of these offers himself in

1. Ukul is a corrupted form of Arabic vakil.

this relation in order to receive a gift. After this they visit each other to receive gifts. When the titular son-in-law appears before the representative of the bride's father, the latter /42/ serves him breast meat (tus) just as he would his real son-in-law. But a good son-in-law, remembering that he is only titular, should not sit down in the place of honor /tur/.

According to bii Sultan, the ukul kuyau like a verbal friend, is only called son-in-law, but does not take a bride from the titular father-in-law. The latter may also be unmarried. The titular (tutingen) son-in-law lives with the titular father-in-law until his wedding, and then usually departs to his relatives. He also receives inchi, but less than the others who receive allotments. However before the allotment the father-in-law asks him if he and his wife will remain living with him. In case of a refusal, the former gives him a horse and a tent packed on a camel, and if there is no tent, then only blankets (tu sek orny).

Most young men usually have confidantes, "arifdas." It is permitted to take pleasing objects between them without asking permission. They give each other various trifles. Confidantes usually give bands for coats, and belts which they have made by hand. When young men meet their confidantes in private they touch their

1: Washington S-4 (no date) 1956 AF13 Northwest China
Sinkiang AI1
Kazak RQ2

/The Kazakhs/

S 563 K 685 One custom peculiar to the Kazakhs involves stealing. The Kazakh will steal only from someone who has been unfriendly toward him, and generally he will steal only animals, which cannot be well hidden. The idea behind the act is to show courage, and if the theft goes unnoticed, the thief feels proud of his cleverness. Once the theft is discovered, however, the thief willingly admits he has been outwitted, and submits to punishment. It is customary for the apprehended thief to repay nine times the property stolen; that is, if he has stolen one sheep, he must give its owner nine sheep.

S 563 K 574 The Kazakhs are noted for their hospitality. In theory, they must keep what amounts to open house for travelers, including enemies and strangers, and a guest may stay indefinitely without paying for food or lodging. It would be very bad form for a host to ask a guest to leave. Furthermore, the welfare of the guest is the responsibility of the tent owner. A traveler may claim damages if he has suffered from hunger or exhaustion in the vicinity of any camp ground.

Obviously such laws of hospitality impose a heavy burden upon the host, and for that reason the Kazakhs try to avoid camping near routes of travel. Some even conceal their tents behind the hills. In practice, the traditional hospitality is kept K [556] only by the wealthy, and then, "A visitor is treated well or ill [554] according to the importance of his 'tribe' and the number of his ancestors." (Hudson 1938: 73.) That is, for a guest of importance the host would kill a sheep, whereas a poor visitor would be served only tea or milk.

S 563 K 608 Sworn brotherhood is a practice prevalent among the Kazakhs, a relationship which may be formed between two persons of different blood groups. A very solemn ceremony takes place when two persons take the oath of brotherhood. They may swear on the Koran, or "embrace one another over the blade of a sword or with a dagger at the throat of each other, taking oath that they would be friends to one another for a specific time or for life." (ibid.) Such brothers share each other's happiness or sorrow, and personal and family property. The offspring of the sworn brothers may continue this relationship. Women, too, may fraternize in this way, and it is said that the relationship may even be formed between two persons of the opposite sex.

S 563 K 576 264 574 [191] The Kazakhs practice the same etiquette as the New Uighurs, with a few noteworthy variations. At feasts, the animals to be eaten are always killed in the presence of the guests, to honor the guests and indicate that they are being offered the best. Another strict custom, observed by both men and women, is to wear a hat or cap at meals. If a guest has forgotten his hat, he is given a stick of straw to adorn his head. To eat bareheaded is an insult to the others present.

614 this function was taken over by the lineage. Here we can say that the clan could continue to be the unit of exogamy in those cases where it was co-terminous with the lineage, and was so even in the 20th century, as indeed it had been at times in the past. But the lineage, or sub-lineage, was the normal unit of exogamy and had been before Kharusin's day, and continued to be afterward.

614 [611] 608 The clan was no longer[1] responsible for the crimes of a clan-member; that it had been in the past is shown by the wergeld relationship, regarding the collection of the wergeld for transmission and its distribution on receipt. It was possible to change clan affiliation; indeed this exemplifies beautifully the principle of the fictive descent, whereby on joining another clan one was given the genealogy of the new clan, the conditio sine qua non for membership in the new clan. One of the most frequent reasons for leaving one's clan and joining a new one according to Kharusin was to escape punishment; but this reason is self-defeating, since the clan of asylum might not want responsibility for the fugitive and could demand the return of the new arrival to his old clan; in fact the notion contradicts Kharusin's point that the clan had no responsibility for its members' activities.[238]

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[238] Ibid., 44-45.

[1] [i.e. in the 19th century; Cf. art. 114, AHI Mongolia, pp. 496-498 -- Analyst]